

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROBERT EDWARD DOWNING,

Plaintiff,

v.

ROCKLAND COUNTY
CORR. FACILITY

Defendant.

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DOC #:
DATE FILED: 10-24-11 TS

11 Civ. 2934 (LBS)

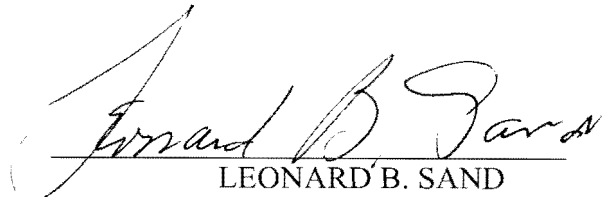
MEMORANDUM
& ORDER

By Order dated June 13, 2011, Plaintiff was directed to file an Amended Complaint with the Court within sixty (60) days. On July 12, 2011, Plaintiff was granted a sixty-day extension to comply with the Court's June 13, 2011 Order. Since Plaintiff has failed to submit an Amended Complaint as specified, it is,

ORDERED, ADJUDGED AND DECREED: That the Complaint, filed *in forma pauperis* under 28 U.S.C. § 1915(a)(1), is dismissed for failure to state a claim upon which relief may be granted. 28 U.S.C. § 1915(e)(2)(B)(ii).

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from the Court's Order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. See *Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

SO ORDERED:


LEONARD B. SAND
United States District Judge

Dated: October 24, 2011
New York, New York